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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/215,732	12/18/1998	KARLHEINZ DORN	P98.3059	1714

7590  
Schiff Hardin & Waite  
Patent Department  
6600 Sears Tower  
Chicago, IL 60606-6473

04/17/2008

EXAMINER
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ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2194

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/215,732	<b>Applicant(s)</b> DORN ET AL.	
	<b>Examiner</b> Charles E. Anya	<b>Art Unit</b> 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3/ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-6 are pending in this application.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,158,049 to Goodwin et al.**

3. As to claim 5, Goodwin teaches a method of operating a computer (figure 7), comprising the steps of: providing a generic main component (Step 400 Col. 16 Ln. 18 – 31); configuring said generic main component at runtime with dynamic link libraries, including; generating a service configuration file (Main.prof1 116-e/Main.prof2 116-I Col. 16 Ln. 18 – 31); loading the dynamic link libraries into the generic main component (Step 401 Col. 16 Ln. 18 – 31); inserting the generic main configured according to the service configuration file into programs (Application 103) running on said computer so that the programs on the computer are configured (Step 403 Col. 16 Ln. 33 – 64).

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**5. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Dynamically Configuring Communication Services with the Service Configurator Pattern to Prashant et al. (pages 1-13).**

6. As to claim 5, Prashant teaches a method of operating a computer, comprising the steps of: providing a generic main component (“...generic main...” page 9, section 8.3); configuring said generic main component at runtime with dynamic link libraries (“...Service Config Object...” page 9, Section 8.3), including; generating a service configuration file (“...svc.conf file...” page 9 Section 8.3); loading the dynamic link libraries into the generic main component (“...DLL...” page 9 Section 8.3); inserting the generic main configured according to the service configuration file into programs running on said computer so that the programs on the computer are configured (“...svc.conf...” page 9 Section 8.3).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**8. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dynamically Configuring Communication Services with the Service Configurator Pattern to Prashant et al. (pages 1-13) in view of U.S. Pat. No. 6,434,740 B1 to Monday et al.**

9. As to claim 1, Prashant teaches an object oriented computer program for operation in a computer (figure 1, page 7/9 section 8), comprising: a generic main (“...generic main...” page 9, section 8.3), a configuration component for configuring the generic main at runtime (“...Service Config Object...” page 9, Section 8.3).

Prashant is silent with reference to a generic for hosting any kind of at least one of a presentation logic layer component and a business logic application and a framework connector providing communications between said components.

Monday teaches a generic main object for hosting any kind of at least one of a presentation logic application and a business logic application component (main program Col. 9 Ln. 19 – 67, Col. 10 Ln. 11 – 14) and a framework connector providing communications between components (Col. 3 Ln. 36 – 41, figure 2 Col. 9 Ln. 41 – 52, figure 4 Col. 17 Ln. 16 – 59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Prashant with the teaching of Monday because the teaching of Monday would improve the system of Prashant by providing an assembler to connects together two components through a single point of each component's interface (Monday Col. 3 Ln. 36 – 41).

**10. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dynamically Configuring Communication Services with the Service Configurator Pattern to Prashant et al. (pages 1-13) in view of U.S. Pat. No. 6,434,740 B1 to Monday et al., as applied to claim 1 above, and further in view of U.S. Pat. No. 6,047,324 to Ford et al.**

11. As to claim 2, Prashant teaches an object oriented computer program as claimed in claim 1, wherein said configuration component includes a service configurator for creating service objects by activation of DLLS (“...creating...” page 12 Section 10), a service dispatcher that communicates with a network on behalf of the configuration component (“...info method...” page 7 Section 7), and a service repository that communicates with said service configurator for insertion of the objects (“...Service Repository...” page 7 Section 7).

Monday and Prashant are silent with reference to a service manager that communicates with said service dispatcher for service registration and handling.

Ford teaches a service manager that communicates with said service dispatcher for service registration and handling (Col. 5 Ln. 32, NT Service Control Manger 430 Col. 8 Ln. 40- 51).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Monday and Prashant with the teaching of Ford because the teaching of Ford would improve the system of Prashant by providing a Framework that optimizes the speed at which new services are added to the system (Ford Col. 3 Ln. 57 – 59).

**12. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dynamically Configuring Communication Services with the Service Configurator Pattern to Prashant et al. (pages 1-13) in view of U.S. Pat. No. 6,434,740 B1 to Monday et al., as applied to claim 1 above, and further in view of NN910792 (Generic Program for Starting Executables pages 1-2) to IBM TDBD (hereinafter referred to as IBM TDBD).**

13. As to claim 3, Monday and Prashant are silent with reference to an object oriented computer program as claimed in claim 1, wherein said generic main is independent of an operating system of the computer until configured by the said configuration component.

IBM TDBD teaches an object oriented computer program as claimed in claim 1, wherein said generic main is independent of an operating system of the computer until configured by the said configuration component (“...independently...” page 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Monday and Prashant with the teaching of IBM TDBD because the teaching of IBM TDBD would improve the system of Monday and Prashant because executable program does not need to be rebuilt or relinked when new procedure and/or new libraries are developed (IBM TDBD page 1).

**14. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dynamically Configuring Communication Services with the Service Configurator Pattern to Prashant et al. (pages 1-13) in view of U.S. Pat. No. 6,434,740 B1 to Monday et al., as applied to claim 1 above, and further in view of An Object-Oriented Framework for Experimenting with Alternative Process Architectures for Parallelizing Communication Subsystem to Schmidt (pages 1-147).**

As to claim 4, Monday teaches an object oriented computer program as claimed in claim 1, wherein said framework connector includes a upipe for internal communication, said upipe including communications links within a component (“...bootstrap connection...” Col. 17 Ln. 16 – 22); and an npipe for communication between components, said npipe including communications links to other components (“...introspection...” Col. 17 Ln. 35 – 59).



Monday and Prashant are silent with reference to an object oriented computer program as claimed in claim 1, wherein said framework connector includes a socket for communication over machine boundaries, said socket including communications links to remote networks.

Schmidt teaches an object oriented computer program as claimed in claim 1, wherein said framework connector includes a socket for communication over machine boundaries, said socket including communications links to remote networks (SOCK-SAP page 94, Ln. 5- 19).

It would have been obvious to apply the teaching of Schmidt to the system of Monday and Prashant. One of ordinary skill in the art at the time the invention was made would have been motivated to make such a modification in that the Schmidt teaching would improve the system of Monday and Prashant by facilitating a platform-independent transport-level interface that improves application portability and reduce the amount of application code and effort expended upon lower-level networking details (Schmidt page 94 lines 1-5).

**15. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dynamically Configuring Communication Services with the Service Configurator Pattern to Prashant et al. (pages 1-13) in view of U.S. Pat. No. 6,434,740 B1 to Monday et al., and further in view of U.S. Pat. No. 5,491,800 to Goldsmith et al. and further in view of U.S. Pat. No. 5,664,155 to Elko et al.**

16. As to claim 6, Prashant teaches an object oriented computer program for operation in a computer, comprising: a generic main object (“...generic main...” page 9, section 8.3); a configuration component for configuring the generic main at runtime (“...Service Config Object...” page 9, Section 8.3); a service configuration manager for monitoring all active instances of said generic main object and activating loading of services or components in an active generic container (“...loading...” page 8 Section 8.1); and an object oriented binary executable (inherent the system of Prashant since it is object oriented); providing proper hidden installation of process wide singleton objects for: basic dynamic linking features with component dynamic link libraries (page 9 Section 8.3), basic interface to a system configuration control (page 1 Section 2.3) and providing support for duplex event and request/response channels, providing generic connection to dominant GUI-framework supported main() programs through the message pump interconnection protocol (page 6 Section 7).

Prashant is silent with reference to a generic main object for hosting any kind of at least one of a presentation logic application and a business logic layer component, a framework connector providing communications between components, basic network communication for anonymous and asynchronous communication, basic synchronous/asynchronous management of the components in said generic main object, basic operating system abstraction layer, and providing generic support of an object dump database (debugging port).

Monday teaches a generic main object for hosting any kind of at least one of a presentation logic application and a business logic application component (main

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program Col. 9 Ln. 19 – 67, Col. 10 Ln. 11 – 14) and a framework connector providing communications between said components (figure 2 Col. 9 Ln. 41 – 52).

Goldsmith teaches basic network communications for anonymous and asynchronous communication (figure 10 Col. 15 Ln. 13 – 22), basic synchronous/asynchronous management of the components (Col. 12 Ln. 13 – 19, figure 10 Col. 15 Ln. 13 – 22), basic operating system abstraction layer (CSF 630a/b Col. 10 Ln. 13 – 44), providing support for duplex event and request/response channels (Col. 15 Ln. 16 – 22).

It would have been obvious to one of ordinary skill in the art the time the invention was made to modify the system Monday and Prashant with teaching of Goldsmith because the teaching of Goldsmith would improve the system of Monday and Prashant by providing a client-server facility and networking service facility interfaces that allows client application programs to automatically configure the client nodes for access to services located on remote server node without having to duplicate common RPC and transport software functions (Goldsmith Col. 5 Ln. 56 – 60).

Elko teaches providing generic support of an object dump database (debugging port) (“...dump area...” Col. 6 Ln. 46 – 52, Col. 8 Ln. 38 – 45, Col. 22 Ln. 51 – 67).

It would have been obvious to one of ordinary skill in the art the time the invention was made to modify the system of Goldsmith, Monday and Prashant with the teaching of Elko because the teaching of Elko would improve the system of Goldsmith, Monday and Prashant by providing a database so that its contents can be restored in

the event of data loss and corrupted databases can often be recovered by analysis of the dump.

### ***Response to Arguments***

Applicant's arguments with respect to claims 3 and 4 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 1/18/08 (with reference to claims 1 and 4-6) have been fully considered but they are not persuasive.

Applicant argues in substance that (1) the Waszkiewicz prior art does not teach a generic main as claimed in claim 1, (2) the Prashant prior art does not teach or disclose a generic main that includes a framework connector, (3) the Monday prior art does not teach generic main host, (4) the Schmidt prior art does teach a framework connector and (5) the Northrup prior art does not teach the dumping of data connected on a process.

The Examiner respectively traverses Applicant's arguments:

As to point (1), in view of Applicant's argument the Examiner has withdrawn the Waszkiewicz prior art as a reference.

As to point (2), the invention as claimed (claim 5) includes "providing a generic main component **as** a framework connector". As the Examiner understands the claim language the generic main servers as the framework connector and this implies that if a prior art discloses a generic main it inherently provides a framework connector, which is the case with the Prashant prior art.

As to point (3), The Monday prior art is used to address claim limitation other than generic main host.

As to point (4), considering Applicant's argument the Examiner has withdrawn the Schmidt prior art with reference to the upipe and npipe communication links.

As to point (5), considering Applicant's argument the Examiner has withdrawn the Northrup prior art as a reference.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is 571-272-3757. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/  
Supervisory Patent Examiner, Art Unit 2195

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